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June 30, 2008

Dear [insert Governor or individual legislator] :

The Mental Health Services Oversight and Accountability Commission (MHSOAC) would like to take this opportunity to thank you for preserving the integrity of the Mental Health Services Fund during the 2008-2009 state budget process.

In 2004, the Mental Health Services Fund was established by the People of California with the passage of Proposition 63, now the Mental Health Services Act (MHSA). The MHSA has several provisions that restrict the use of the Mental Health Services Fund and, in particular, the Act prohibits “loans” to the state General Fund or any other fund of the state (Welfare and Institutions Code Section 5891.) By maintaining the will of the people, as provided for in the MHSA, you have recognized that, even in a difficult budget year, services for individuals with mental illness are a priority for Californians.

As noted above, the MHSA has several requirements for use of the Mental Health Services Fund as provided for in Section 5891 of the Welfare and Institutions Code:

The funding established pursuant to this Act shall be utilized to expand mental health services. These funds shall not be used to supplant existing state or county funds utilized to provide mental health services. The state shall continue to provide financial support for mental health programs with not less than the same entitlements, amounts of allocations from the General Fund and formula distributions of dedicated funds as provided in the last fiscal year which ended prior to the effective date of this Act. The state shall not make any change to the structure of financing mental health services, which increases a county's share of costs or financial risk for mental health services unless the state includes adequate funding to fully compensate for such increased costs or financial risk. These funds shall only be used to pay for the programs authorized in Section 5892.

*These funds may not be used to pay for any other program.*

*These funds may not be loaned to the state General Fund or any other fund of the state, or a county general fund or any other county fund for any purpose other than those authorized by Section 5892. [italics added]*

The Act is very clear here. The Mental Health Services Fund “may not be loaned to the state General Fund or any other fund of the state...” If a loan of this sort were made, the MHSOAC believes this action would be contrary to the MHSA.

Currently, California counties are putting MHSA funds to good use. Every county throughout California is implementing mental health programs which they have developed through an extensive community stakeholder planning process. MHSA programs range from mobile psychiatric emergency response teams in some of our rural counties to housing for our homeless in our urban areas. The Mental Health Services Fund is providing desperately needed resources for California’s mental health.

According to the Department of Mental Health, counties report the following occurred during the first quarter of Fiscal Year 2007-08:

- **37,166** individuals were served by System Development services, such as peer support, education and advocacy, and mobile crisis;
- **86,128** individuals were served by Outreach and Engagement Services, which help reach out to people who need but are not receiving services and support;
- **13,738** participated in Full Service Partnerships, which provide a broad range of mental health and other supports to help consumers and family members achieve life and mental health recovery goals.

Although the MHSA is helping many people, the continuing unmet need for mental health services continues to be significant. The MHSA funding is necessary to ensure that adequate and appropriate mental health services are available to all citizens of California.

Lastly, we want to note that a Field Poll released this month reports seven in ten voters are opposed to cutting mental health programs (73%). Californians continue to place a high priority on mental health programs.

Once again, we believe strongly in preserving the integrity of the Mental Health Services Fund during the 2008-2009 budget process. Giving the Mental Health Services Act the opportunity to be successful gives all Californians the opportunity to benefit.

Sincerely,

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Linford Gayle, Chair

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Andrew Poat, Vice-Chair

cc: Senator Darrell Steinberg  
Stephen Mayberg, PhD, Director, Department of Mental Health  
Members of the Legislature